THE HONOURABLE SRI JUSTICE GODA RAGHURAM

W.P.Nos :12494;13308; 13337; 15183; 15184; 15185 of 2005

DATED:27-04-2007

W.P.No.12494 of 2005
BETWEEN:

Aduri Venkata Subbamma & 87 others.

...PETITIONERS

AND

The Special Collector (L.A.)., Unit-II,
Telugu Ganga Project,
Podalakuru,
Kadapa District.

…RESPONDENT

W.P.NO.13308 OF 2005:

Chamarthi Subbamma & 156 others.

… PETITIONERS

AND

The Special Deputy Collector (L.A.), Unit-II
Telugu Ganga Project,
Podalakuru,
Kadapa District & another.

… RESPONDENTS

W.P.NO.13337 OF 2005:

BETWEEN:

Thanga Penchalaiah & 120 others.

… PETITIONERS

AND

The Special Deputy Collector (L.A.), Unit-II
Telugu Ganga Project,
Podalakuru,
Kadapa District & another.

... RESPONDENTS

W.P.NO.15183 OF 2005:

BETWEEN:

Peddalapalli Rajamma & 71 others.

... PETITIONERS

AND

The Special Deputy Collector (L.A.), Unit-II
Telugu Ganga Project,
Podalakuru,
Kadapa District & another.

... RESPONDENTS

W.P.NO.15184 OF 2005:

BETWEEN:

Chitteti Narasimhulu &102 others.

... PETITIONERS

AND

The Special Deputy Collector (L.A.), Unit-II
Telugu Ganga Project,
Podalakuru,
Kadapa District & another.

... RESPONDENTS

W.P.NO.15185 OF 2005:

BETWEEN:

Rendla Subbamma & 34 others.

... PETITIONERS

AND

The Special Deputy Collector (L.A.), Unit-II
Telugu Ganga Project,
Podalakuru,
Kadapa District & another.

... RESPONDENTS

COMMON ORDER:

Heard the learned counsel for the petitioners as well as the learned Government Pleader for Land Acquisition.

The lands of the petitioners along with structures in Maddur Village, Atlur mandal, Kadapa District were acquired on account of sub-mergence under the Somasila project. After due process under the provisions of the Land Acquisition Act, 1894 (for brevity, 'the Act') a notification under Section 4(1) of the Act was published on 25-09-1995. The Land Acquisition Officer by award Nos.13/97-98; 8/97-98; 7/97; 15/97; 15/97-98; and 4/97, dated 29-01-1998;
28-11-1997; 26-11-1997; 24-01-1998; 24-01-1998; and
14-11-1997 awarded compensation of Rs.1,87,26,267/-; Rs.1,86,30,282/-; 1,10,55,371/-; Rs.60,11,390/-; Rs.25,44,304/-; and Rs.25,44,304/-in respect of the lands involved in each of the acquisition notifications pertaining to Writ Petition Nos.1 to 5 respectively.

Aggrieved thereby petitioners-claimants sought reference

under Section 18 of the Act. L.A.O.P.Nos.975; 973; 974; 972; 971 of 2000 and 1097 of 2001 were adjudicated by the reference Court in several awards in the aforementioned L.A.O.Ps. Aggrieved by the orders of the Reference Court the State preferred appeals in A.S.Nos.3917 of 2003; 510 of 2003; 1228 of 2003; 374 of 2004; 163 of 2004; and 2680 of 2003 respectively. This Court partly allowed the appeals and re-determined the market value duly granting all the statutory benefits on the re-determined market value. The appeals were allowed by this Court on 17-03-2006. As the State did not pay the compensation and the determination of compensation by this Court in the appeals had become final, the petitioners in each of these writ petitions filed Execution Petitions being E.P.Nos.52 of 2003; 55 of 2003; 56 of 2003; 53 of 2003; 54 of 2003; and 57 of 2003. The Execution Petitions are being adjourned from time to time on account of the failure by the State to deposit the compensation amounts as per the judgment of this Court in the appeals. In the circumstances, the petitioners are before this Court.

In a substantially similar matter in W.P.No.15192 of 2005 this Court disposed of the Writ Petition declaring that the failure of the State in depositing the compensation amount to the credit of the Execution Petition is arbitrary, and unsustainable. This Court issued directions for deposit of the amounts. These Writ Petitions are similar to W.P.No.15192 of 2005.

Accordingly, respondents are directed to pay the compensation amount due and payable to the petitioners in

respect of the structures and in accordance with the judgments and decrees of this Court in A.S.Nos.3917 of 2003; 510 of 2003; 1228 of 2003; 347 of 2004; 163 of 2004; and 2680 of 2003 within seven days from the date of receipt of a copy of this order. The amount of compensation shall be credited to the respective Execution Petitions.

Accordingly Writ Petitions are disposed of. There shall be no order as to costs.

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GODA RAGHURAM,J

27th April, 2007.
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